Case 3:14-bk-30246 Doc 71 Filed 05/29/18 Entered 05/29/18 14:26:20 Desc Main Document Page 1 of 6 Fill in this information to identify the case Debtor 1 Andrew S. Watson Debtor 2 Marilyn L. Watson (Spouse, if filing) United States Bankruptcy Court for the: SOUTHERN District of OHIO (State) Case number <u>14-30246</u> Official Form 410S1 Notice of Mortgage Payment Change 12/15 If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1. Federal National Mortgage Association (Fannie Name of creditor Court claim no. (if known) Date of payment change Must be at least 21 days after date of Last four digits of any number 7/1/2018 this notice you use to identify the debtor's account: 5510 New total payment: \$615.83 Principal, interest, and escrow, if any Part 1: **Escrow Account Payment Adjustment** Will there be a change in the debtor's escrow account payment? Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: Current escrow payment: \$<u>442.32</u> New escrow payment: \$<u>456.40</u> Mortgago Daymont Adjustment

aı	ι Ζ.	Wortgage Fayment Adjustment			
2.		Il the debtor's principal and interest payment change?	ge based on	an adjustment to the interest rate in the	e debtor's variable-rate
		No Yes. Attach a copy of the rate change notice pre not attached, explain why:			uptcy law. If a notice is
		Current interest rate:	%	New interest rate:	%
		Current principal and interest payment: \$		New principal and interest payment: \$	

Part 3: Other Payment Change

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3. Will there be a change in the debtor's mortgage payr	ment for a reason not listed above?
<ul> <li>No</li> <li>Yes. Attach a copy of any documents describing agreement. (Court approval may be required before the second of t</li></ul>	
Current mortgage payment: \$	New mortgage payment: \$

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Debtor 1 Ar	ndrew S. Watson	Middle Name	Last Name	Case number (if known) 14-30246
Part 4:	Sign Here			
The person on number.	ompleting this Notic	ce must sign it. S	ign and print yo	ur name and your title, if any, and state your address and telephone
Check the ap	propriate box.			
	creditor. creditor's authorized	agent.		
	der penalty of perj information, and r			ded in this Notice is true and correct to the best of my
X /S/ A	dam B. Hall			
Print:	Adam B. I	Hall		TitleAttorneys for Creditor
Company	Manley Deas K	Cochalski LLC		<del>_</del>
Address	P.O. Box 16502 Number	28 Street		<del>-</del>
	Columbus, OH	43216-5028		<u>_</u>
	City	State	ZIP Code	
Contact phor	e <u>614-220-5611</u>			Email <u>amps@manleydeas.com</u>

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Notice of Payment Change was served **electronically** through the court's ECF System at the email address registered with the court:

Office of U.S. Trustee, Southern District of Ohio, Party of Interest, 170 North High Street, #200, Columbus, OH 43215

Jeffrey M. Kellner, 131 N Ludlow Street, Suite 900, Dayton, OH 45402, ecfclerk@dayton13.com

Andrew Zeigler, Attorney for Andrew S. Watson and Marilyn L. Watson, Thompson & Deveny Co. LPA, 1340 Woodman Drive, Dayton, OH 45432, andrew@kzlawohio.com

and by ordinary U.S. mail on May 29, 2018 addressed to:

Andrew S. Watson and Marilyn L. Watson, 2612 Neva Drive, Dayton, OH 45414

/s/ Adam B. Hall

Adam B. Hall

Hartford, CT 06143-1077

Document Page 5 of 6 Friday 5 a.m. to 6 p.m. Phone 866,570,5277

# Redacted

ANDREW S WATSON MARILYN WATSON c/o ANDREW ZEIGLER 1340 WOODMAN DR DAYTON OH 45432-3495

ESCROW ACCOUNT STATEMENT						
Analysis Date Loan Number		05/17/18 Redacted				
Current Payı	nent	New Payment Effective 07/01/18				
Principal and		Principal and				
Interest	\$159.43	Interest*	\$159.43			
Escrow	\$237.87	Escrow	\$248.80			
		Escrow Shortage or Deficiency	\$207.60			
Total Current		Total NEW				
Payment	\$397.30	Payment*	\$615.83			

The principal and interest payments reflect the contractual amount due under the note, which can be modified with a mutually agreed upon payment plan. In addition, the new principal and interest payment and the total new payment may not reflect any changes due to interest rate adjustments. You will receive a separate notice for interest rate adjustments.

#### NEW MORTGAGE PAYMENT NOTICE AND ESCROW ACCOUNT DISCLOSURE STATEMENT

Seterus, Inc. is the servicer of the above referenced loan. In accordance with federal guidelines, your escrow account is reviewed at least once a year to determine if sufficient funds are available to pay your taxes and/or insurance. Your escrow payment will be a minimum of the total anticipated disbursements divided by the number of scheduled installments due in the next 12 months. This payment will increase if you have a post-petition shortage and/or deficiency. This statement provides a history of actual escrow account activity and a projection of the escrow account activity for the next 12 months.

Our records indicate a petition for Bankruptcy was filed on January 29, 2014. Pursuant to that petition, we have filed a proof of claim with the Bankruptcy court. Any shortage and/or deficiency listed under the Proof of Claim section will be excluded from your future scheduled escrow payment as these amounts will be added to your pre-petition arrearage and collected in your bankruptcy plan payment.

9		\$2,0	939.2 946.2 9 <b>85.5</b>
		\$2,0	046.2
	110		
uar	ua	ry 29	, 2014
			\$0.00
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		crow	
		ere	w

\*\*Beginning balance = Starting balance less any unpaid escrow disbursements

The Real Estate Settlement Procedures Act (RESPA) allows us to collect and maintain up to 1/6 of your total disbursements in your escrow account at all times, unless prohibited by state law. This cushion covers any potential increases in your tax and/or insurance disbursements. Cushion selected by servicer: \$497.60.

ESCROW	ACCOUNT	PROJECTION	IS FOR	THE NEXT	12 MONTH	ESCROW	CYCLE
		Aı	nticipat	ed Activity			

	Payments to	Payments from		Projected
	Escrow	Escrow	Description	Balance
Beginning Balance**				\$6,506.43-
Post Petition Beg Bal*				\$6,506.43-
Date				
07/01/2018	248.80	0.00		6,257.63-
08/01/2018	248.80	0.00		6,008.83-
09/01/2018	248.80	939.25-	HAZARD INS	6,699.28-
10/01/2018	248.80	0.00		6,450.48-
11/01/2018	248.80	0.00		6,201.68-
12/01/2018	248.80	936.88-	COUNTY	6,889.76-
12/01/2018	0.00	86.26-	COUNTY	6,976.02-
01/01/2019	248.80	0.00		6,727.22-
02/01/2019	248.80	0.00		6,478.42-
03/01/2019	248.80	0.00		6,229.62-
04/01/2019	248.80	0.00		5,980.82-
05/01/2019	248.80	0.00		5,732.02-
06/01/2019	248.80	936.88-	COUNTY	6,420.10-
06/01/2019	0.00	86.26-	COUNTY	6,506.36-
Total	\$2,985.60	\$2,985.53-		

Under federal law, your lowest monthly balance in the escrow account should not have exceeded \$497.60, or 1/6 of the total anticipated payments from your escrow account. Your lowest escrow balance was \$6,976.02-

The escrow account has a post-petition shortage and/or deficiency. A deficiency, if applicable, is the amount of negative balance in the escrow account, which can occur when funds that have been paid from the escrow account exceed the funds paid to the escrow account. An escrow shortage occurs when the escrow balance is not enough to pay the estimated items and any additional reserve deposits that need to be paid during the next 12 months. The projected beginning balance of your escrow account is \$6,506.43-. Your required beginning balance according to this analysis should be \$967.19. This means you have a shortage and/or deficiency of \$7,473.62. For your convenience, we have spread this post-petition shortage and/or deficiency over the next 36 installments and included this amount in your escrow payment.

# Case 3:14-bk-30246 Doc 71 Filed 05/29/18 Entered 05/29/18 14:26:20 Desc Main Document Page 6 of 6 ESCROW ACCOUNT HISTORY

This is a statement of actual activity in your escrow account from July 2017 to June 2018. This history compares the projections from your last escrow analysis or initial disclosure and the actual activity in your account. If a prior escrow analysis was not conducted during this historical period, the projected escrow balance will be zero.

	ACTUAL ESCROW ACCOUNT HISTORY								
	Payments	s to Escrow	Payments	from Escrow	Description	Escro	w Balance		
	Projected	Actual	Projected	Actual		Projected	Actual		
Beginning									
Balance						\$932.46	\$14,615.50-		
Date									
07/01/17	234.19	0.00*	0.00	0.00		1,166.65	14,615.50-		
08/01/17	234.19	0.00*	0.00	0.00		1,400.84	14,615.50-		
09/01/17	234.19	0.00*	928.20-	939.25-*	HAZARD INS	706.83	15,554.75-		
10/01/17	234.19	0.00*	0.00	0.00		941.02	15,554.75-		
11/01/17	234.19	237.87*	0.00	0.00		1,175.21	15,316.88-		
12/01/17	234.19	0.00*	854.45-	0.00*	COUNTY	554.95	15,316.88-		
12/01/17	0.00	0.00	86.57-	0.00*	COUNTY	468.38	15,316.88-		
01/01/18	234.19	0.00*	0.00	936.88-*	COUNTY	702.57	16,253.76-		
01/01/18	0.00	0.00	0.00	86.26-*	COUNTY	702.57	16,340.02-		
02/01/18	234.19	0.00*	0.00	0.00		936.76	16,340.02-		
03/01/18	234.19	0.00*	0.00	0.00		1,170.95	16,340.02-		
04/01/18	234.19	0.00*	0.00	0.00		1,405.14	16,340.02-		
05/01/18	234.19	10,414.41*	0.00	0.00		1,639.33	5,925.61-		
06/01/18	234.19	0.00*	854.45-	0.00*	COUNTY	1,019.07	5,925.61-		
06/01/18	0.00	0.00	86.57-	0.00*	COUNTY	932.50	5,925.61-		
Total	\$2,810.28	\$10,652.28	\$2,810.24-	\$1,962.39-					

<sup>\*</sup> indicates a difference from a previous estimate either in the date or the amount.

**NOTE** – This analysis was prepared in advance of the escrow payment change date. Therefore, the projected beginning balance for the next 12 months estimates that you have paid all the required scheduled installments as shown in your actual account history and that all scheduled disbursements have been made from your escrow account.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. WE ARE ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT. THIS NOTICE IS BEING FURNISHED FOR YOUR INFORMATION AND TO COMPLY WITH APPLICABLE LAWS AND REGULATIONS. IF YOU RECEIVE OR HAVE RECEIVED A DISCHARGE OF THIS DEBT THAT IS NOT REAFFIRMED IN A BANKRUPTCY PROCEEDING, YOU WILL NOT BE PERSONALLY RESPONSIBLE FOR THE DEBT. COLORADO: SEE <a href="https://www.coloradoattorneygeneral.gov/ca">www.coloradoattorneygeneral.gov/ca</a> FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT. Seterus, Inc. maintains a local office at 355 Union Boulevard, Suite 250, Lakewood, CO 80228. The office's phone number is 888.738.5576. NEW YORK CITY: 1411669, 1411665, 1411662. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Seterus, Inc. is licensed to do business at 14523 SW Millikan Way, Beaverton, OR 97005.

<sup>\*\*</sup> indicates escrow payment made during a period where the loan was paid ahead.